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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,428	10/20/2003	Robbie Thielemans	920522-94968	2797

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EXAMINER

NELSON, ALECIA DIANE

ART UNIT PAPER NUMBER

2629

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/689,428	Applicant(s) THIELEMANS ET AL.	
	Examiner Alecia D. Nelson	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/20/03 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because in Figure 1, each block of the block diagram should be labeled with not only a number, but also a word identifier. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. ***Claims 1, 2, and 4-12*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Eller et al. (U.S. Patent Application No. 2006/0050012) in view of Lacayo et al. (U.S. Patent Application No. 2003/0210240).

With reference to **claims 1 and 12**, Eller et al. teaches an electronic display system comprising: at least one electronic display apparatus (200), a display driver circuit (see paragraph 21); a storage means to store locally to the at least one electronic display apparatus a content of at least one image to be displayed on the at least one electronic display device (see paragraph 21); transferring means for transferring the content of the at least one image from the local storage means to the display driver

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circuit for displaying the at least one image on the electronic display device, and a connecting means to connect the electronic display system to a network central processor (see paragraphs 21 and 30-31); receiving from a network central processor at least one image to be displayed on the electronic display device and storing in the storage means local to the electronic display the at least one image to be displayed on the display received from the network central processor (see paragraph 21).

While teaching all that is explained above Eller et al. fails to specifically teach that the at least one electronic display apparatus comprises an electronic non-volatile display device which is able to retain an image after power is switched off as recited in the claim.

Lacayo et al. teaches the usage of an electronic display apparatus (204), which comprises an electronic non-volatile display device which is able to retain an image after power is switched off (see paragraph 19).

Therefore it would have been obvious to allow the usage of a non-volatile display device similar to that which is taught by Lacayo et al. in a billboard apparatus similar to that which is taught by Eller et al. in order to thereby provide a billboard apparatus having an electronic display which is capable of retaining an image when powering of the drivers is turned off thereby providing a reduction of power.

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With reference to **claim 2**, while Eller et al. fails to specifically teach the usage of a power supply ~~the usage of a power supply is~~ the usage of a power supply is an inherent function of an electronic billboard device.

With reference to **claim 4**, Eller et al. teaches that the network central processor is a server that provides dynamic content to the at least one electronic non-volatile display device (see paragraph 29).

With reference to **claims 5-7**, Eller et al. teaches a means to connect the at least one display apparatus to a network central processor comprises a wired or wireless connection through the receive and transmit unit (see paragraph 30-31).

With reference to **claims 8 and 9**, while Eller et al. teaches all that is required as explained above there fails to be any disclosure of a electronic non-volatile display device comprising passive display material, wherein the passive display material comprises of electrophoretic materials, electrochromic materials, cholesteric and nematic bistable LCD materials or bichromal bead materials.

Lacayo et al. teaches the usage of an electronic non-volatile display device (204) comprising a passive display material wherein the passive display material comprises bichromal bead material (see paragraph 19).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow the usage of a display device similar to that which is taught by Lacayo et al. to be used in a device similar to that which is taught by Eller et al. in order to thereby provide an electronic billboard device which is capable of retaining the displayed image when the power supply has been shut-off in order to reduce power consumption of the billboard device.

With reference to **claim 10**, Eller et al. teaches that the means for storing locally to the at least one electronic display apparatus keeps the storage of the at least one image after loss of connection to the network central processor (see paragraph 29).

With reference to **claim 11**, Eller et al. teaches that the display system is used for outdoor advertising (see paragraph 19).

5. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Eller et al. in view of Lacayo et al. as applied to **claims 1, 2, and 4-12** above, and further in view of Poliakine (U.S. Patent Application No. 2003/0146891).

With reference to **claim 3**, while Eller et al. and Lacayo et al. teach all that is required as explained above, there fails to be any teaching of a diagnostics unit for sensing health conditions of the at least one electronic display apparatus and for transmitting a signal representative of the sensed health condition to the network central processor.

Poliakine teaches the usage of a diagnostics unit (30) for sensing health conditions of the at least one electronic display apparatus (10) and for transmitting a signal representative of the sensed health condition to the network central processor (14) (see paragraph 52).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow the usage of a sensor similar to that which is taught by Poliakine in a electronic display device similar to that which is taught by the combination

of Eller et al. and Lacayo et al. in order to thereby provide a display device which is capable of detecting changes in temperature of the display device in order to make the necessary adjustment to provide for optimum driving of the display.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alecia D. Nelson whose telephone number is 571-272-7771. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571-272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

adn/ADN
July 8, 2006


SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER